UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,779	01/18/2001	Kazuhiko Akasaka	1086.1133 (JDH)	5962

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EXAMINER
BATES, KEVIN T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/761,779	AKASAKA ET AL.
	Examiner	Art Unit	
	Kevin Bates	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*21 September 2005*</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8,10,12-16,20-25,27-31 and 35-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-8,10,12-16,20-25,27-31 and 35-55* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on September 21,

2005.

Claims 9, 11, 17-19, 26, and 32-34 have been cancelled.

Claims 1-8, 10, 12-16, 20-25, 27-31, and 35-55 are pending in the application.

Specification

The applicant is reminded that the title of the invention is not descriptive. A new

title is required that is clearly indicative of the invention to which the claims are directed

and a proper response should have included a new more descriptive title.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8, 10, 12-16, 20-25, 27-31, and 35-55 are rejected under 35 U.S.C.

103(a) as being unpatentable over Herr-Hoyman (5727156) in view of Freishtat

(5945989).

Regarding claim 1, 12, 20, 27, 35, 42, and 50, Herr-Hoyman teaches a network

system constructed by a client and a server (Column 2, lines 12 – 15), comprising:

a set information obtaining unit which is provided for said client (Column 2, lines 15 – 20), issues a request to said server (Column 5, lines 36 – 41) by an information obtaining request using user identification information, including a user ID and a password (Column 5, lines 47 – 55), and sets the connection information which is received as its response;

a transfer processing unit which is provided for said client, and upon transmitting operation conducted by specifying a file, activated said information obtaining unit, and transfers said file to said server (Column 9, lines 17 – 26).

Herr-Hoyman does not explicitly indicate connection information obtained from said server and a set information providing unit which is provided for said server and transmits the connection information which is obtained by using said user identification information received from said client to the client (Column 8, lines 13 – 20; lines 41 – 44).

Freishtat teaches a method of publishing websites on a server (Column 4, lines 15 – 23) including receiving from the server connection information at the client (Column 7, line 61 – Column 8, line 12) and edit said connection information.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freishtat's teaching of prompting the user with connection information about the server and file to be uploaded in Herr-Hoyman's system in order to allow one without great knowledge of web sites to be able to control how the file is connected and stored on the server.

Regarding claims 2, 13, 21, 28, 36, 43, and 51, Herr-Hoyman teaches a network system according to claims 1, 12, 20, 27, 35, 42, and 50.

Herr-Hoyman does not explicity indicate that said connection information is information which is used when a file is transferred from said client to said server, and said connection information includes a server name, an account, a password, a homepage address, and a homepage folder name.

Freishtat teaches a method of publishing websites on a server (Column 4, lines 15 – 23) and that said connection information is information which is used when a file is transferred from said client to said server, and said connection information includes a server name, an account, a password, a homepage address, and a homepage folder name (Column 7, line 61 – Column 8, line 12; Figure 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freishtat's teaching of prompting the user with connection information about the server and file to be uploaded in Herr-Hoyman's system in order to allow one without great knowledge of web sites to be able to control how the file is connected and stored on the server.

Regarding claims 5, 16, 31, and 46, Herr-Hoyman teaches that the client is a registered user of said server was recognized from a set mail address (Column 3, lines 31 – 44), said set information obtaining unit issues the information obtaining request using said user identification information (Column 3, lines 57 – 67).

Regarding claims 6, 22, 37, and 52, Herr-Hoymann teaches that said server provides an establishing service of a homepage and, when the information obtaining

request from said client is received, said server performs an establishing process of the

homepage by using said user identification information and, thereafter, transmits

requested information to said client (Column 2, lines 25 – 42; Column 9, line 57 –

Column 10, line 40).

     Regarding claims 7, 23, 38, and 53, Herr-Hoyman teaches that the information

obtaining request is received from said client, said server performs said establishing

process in the case where a homepage corresponding to the user who is specified by

said user identification information is not established yet (Column 3, lines 45 – 55;

where the figure 3 flow chart is the initialization of the website/homepage).

     Regarding claims 8, 24, 39, and 54, Herr-Hoyman teaches that said homepage

establishing service is provided to the registered user (Column 3, lines 51 – 56; Column

9, lines 34 – 49).

     Regarding claim 47, Herr-Hoyman teaches that <u>a transfer processing unit which

is provided for said client, and upon transmitting operation conducted by specifying a

file, activated said information obtaining unit, and transfers said file to said server

(Column 9, lines 17 – 26).</u>

Herr-Hoyman does not explicitly indicate connection information obtained from

said server and a set information providing unit which is provided for said server and

transmits the connection information which is obtained by using said user identification

information received from said client to the client (Column 8, lines 13 – 20; lines 41 –

44).

Freishtat teaches a method of publishing websites on a server (Column 4, lines

15 – 23) including receiving from the server connection information at the client (Column

7, line 61 – Column 8, line 12) and edit said connection information.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Freishtat's teaching of prompting the user with connection

information about the server and file to be uploaded in Herr-Hoyman's system in order

to allow one without great knowledge of web sites to be able to control how the file is

connected and stored on the server.

Regarding claims 10, 25, 40, 48, and 55, Herr-Hoyman teaches that the

obtaining request of said connection information and its response between said set

information obtaining unit of said client and said connection information providing unit of

said server are processed by a protocol having a security function (Column 4, lines 1 –

8).

Regarding claims 41, 49, and 56, Herr-Hoyman teaches that said user

identification information is constructed by an account name and a password (Column

3, lines 31 – 44).

Regarding claims 3, 14, 29, and 44, Herr-Hoyman teaches a system according

to claims, 1, 12, 27, and 42, wherein the website space is setup through an ISP which

could dial-Up connections (Column 1, lines 9 – 23; Column 2, lines 11 - 15) and that the

connection to the web creation server gives the client the user ID (Column 1, lines 39 –

41) and stores it as a local variable on the client (Column 3, lines 31 – 33)..

Herr-Hoyman does not explicitly indicate that in the case where a connection to a

network is a dial-up connection, said set information obtaining unit obtains the user

identification information which is used for said information obtaining request from a

setting input of the dial-up connection.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made that if a user was interacting with an ISP that when the ISP needs

to assign a unique name to a client that it can use the unique name the client uses to

connect though a dialup connection (Column 1, lines 39 – 41).

Regarding claims 4, 15, 30, 45, Herr-Hoyman teaches that in the case where a

connection to the network is other than said dial-up connection, said set information

obtaining unit uses the user identification information which is inputted from the user for

said information obtaining request (Column 3, lines 31 – 44).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Bates whose telephone number is (571) 272-

3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.
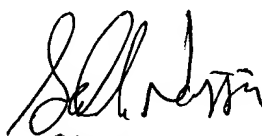
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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 19, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER